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February 11, 2019

**Via Electronic Case Filing**

Honorable Joseph A. Rodriguez, U.S.D.J.  
District of New Jersey  
Mitchell H. Cohen Building  
& U.S. Courthouse  
4th & Cooper Streets  
Camden, New Jersey 08101

**Re: Mario Evangelist v. Zimmer, U.S., Inc., et al**  
**Civil Action No.: 18-cv-1255 (JHR)**

Dear Magistrate Judge Schneider:

As Your Honor may recall, this Firm represents Defendant Zimmer U.S., Inc. ("Zimmer") with reference to this matter. Daniel T. Silverman, Esq. of the law firm of Costello & Mains, LLC represents the Plaintiff Mario Evangelist.

Enclosed please find a Proposed Stipulation and Order of Dismissal with Prejudice and Without Costs or Attorneys' Fees Assessed Against Any Party, executed by counsel for all parties.

If same meets with Your Honor's approval would you kindly So Order same and file with the Clerk of the Court.

Should Your Honor have any questions or concerns, please do not hesitate to contact me at (732) 491-2100. On behalf of the parties, I thank Your Honor, in advance, for your anticipated courtesies and cooperation in this matter.

Respectfully submitted,

Seth Ptasiwicz

SP:PS

Enclosure

cc: Daniel T. Silverman, Esq. (via electronic case filing)(with enclosure)  
Dona M. Ruest (via email)(with enclosure)  
Jennifer Chang, Esq. (via email)(with enclosure)

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

_____	x	
MARIO EVANGELIST,	:	
	:	Civil Action No. 18-CV-1255 (JHR)
Plaintiff,	:	
	:	
v.	:	
	:	<b>STIPULATION AND ORDER OF</b>
ZIMMER US, INC and JOHN DOES 1-5 AND 6-	:	<b>DISMISSAL WITH PREJUDICE</b>
10,	:	
	:	
Defendants.	:	
_____	x	


IT IS HEREBY STIPULATED by and between Plaintiff Mario Evangelist, through his attorneys Costello & Mains, LLC (Daniel T. Silverman, Of Counsel) and Defendant Zimmer US, Inc., through its attorneys Kroll Heineman Carton LLC (Seth Ptasiewicz, Of Counsel) that the above-captioned matter is dismissed with prejudice and without attorneys' fees and costs assessed against any party.

SO ORDERED:

\_\_\_\_\_  
HONORABLE JOSEPH H. RODRIGUEZ, U.S.D.J.

Dated:

We hereby Consent to the form and Entry of this Stipulation and Order:

  
\_\_\_\_\_  
Daniel T. Silverman, Esq.  
Costello & Mains, LLC

Dated: 1/14/19

A handwritten signature in blue ink, consisting of a stylized, elongated loop that tapers to a point on the right.

---

Seth Ptasiewicz, Esq.  
Kroll Heineman Carton LLC  
Attorneys for Defendant

Dated: 2/11/19